

AMENDED IN SENATE JUNE 28, 2001

Senate Joint Resolution

No. 15

Introduced by Senator O'Connell
(Principal coauthor: Senator Chesbro)
(Principal coauthor: Assembly Member Jackson)
(Coauthors: Senators Alpert, Bowen, Burton, Karnette, Kuehl,
McPherson, Sher, and Speier)

June 7, 2001

Senate Joint Resolution No. 15—Relative to offshore oil drilling.

LEGISLATIVE COUNSEL'S DIGEST

SJR 15, as amended, O'Connell. Offshore oil drilling.

This measure would memorialize the President and Congress of the United States to *negotiate a permanent settlement with the leaseholders of the 36 federal oil leases remaining off the coast of California, which would prohibit the development of the leases on the basis that the impacts of developing those leases are not acceptable, and to continue the moratorium on new oil leasing in the Outer Continental Shelf and to terminate the 36 federal leases off the coast of California.*

Fiscal committee: no.

1 WHEREAS, Efforts to protect the California coastline from oil
2 development began as early as January 1929, with the passage of
3 legislation that established an urgency moratorium prohibiting the
4 Surveyor-General from granting any lease or prospecting permit
5 covering any tidelands until September of that year, when the
6 urgency moratorium was finalized; that moratorium stayed in
7 effect until the passage of the State Lands Act of 1938; and

1 WHEREAS, The California State Legislature renewed its
2 long-standing bipartisan opposition to offshore oil and gas
3 development in 1955, with the passage of legislation that
4 prohibited oil and gas leasing in the state waters off parts of Los
5 Angeles, Santa Barbara, and San Luis Obispo Counties, and of
6 legislation in 1963 that added the Counties of Monterey, Santa
7 Cruz, Humboldt, and Mendocino to that prohibition; and

8 WHEREAS, *In 1981 the federal government issued 40 oil*
9 *leases in the Outer Continental Shelf (OCS) for a record*
10 *\$81,200,000,000; and*

11 WHEREAS, Following the infamous 1969 oil spill that resulted
12 in the spillage of 3,200,000 gallons of crude oil, fouling Santa
13 Barbara County's ocean beaches, Californians became even more
14 wary about offshore oil drilling, continuing with the passage of
15 additional oil and gas leasing prohibitions in 1969, 1970, and
16 1971; and

17 WHEREAS, In 1994, the California Coastal Sanctuary Act of
18 1994 (Chapter 3.4 (commencing with Section 6240) of Part 1 of
19 Division 6 of the Public Resources Code), became law, creating a
20 comprehensive statewide coastal sanctuary that prohibits future
21 oil and gas leasing in state waters, from Mexico to the Oregon
22 border, in perpetuity, and adding leases to the sanctuary as they are
23 quitclaimed to the state; and

24 WHEREAS, In 1995, a bipartisan California congressional
25 delegation opposed further leasing in the outer Continental Shelf
26 ~~(OCS)~~ off California in response to the proposed federal 5-year
27 leasing program from 1997 to 2002; and

28 WHEREAS, *On November 15, 1999, the United States*
29 *Department of the Interior Mineral Management Service granted*
30 *suspensions of production, (SOP) for the undeveloped OCS leases.*
31 *Those SOPs are the next sequential step leading to oil production,*
32 *and they provide schedules for development and oil drilling; and*

33 WHEREAS, *On June 26, 2000, the United States Supreme Court*
34 *in Mobil Oil Exploration and Producing Southeast, Inc. v. United*
35 *States (2000) 147 L. Ed. 2d 528 held that oil companies were*
36 *entitled to restitution of moneys the companies paid to the federal*
37 *government for oil exploration and development leases, finding*
38 *that that the federal government has committed a breach of*
39 *contract by refusing to approve the companies oil exploration*
40 *plans; and*

1 WHEREAS, In 1999, the Assembly adopted House Resolution
2 20, which urged the Congress of the United States to pass the
3 Coastal States Protection Act (S. 197) and to cease oil leasing in
4 federal waters when a coastal state, such as California, has
5 declared a moratorium on oil development in adjacent state waters;
6 and

7 WHEREAS, Most recently, California, in its January 2001
8 comments on the proposed federal 5-year leasing program for
9 2002–2007, expressed support for the continued prohibition of
10 leasing within all of the OCS planning areas off California because
11 the impacts from these operations would be unacceptable; and

12 WHEREAS, In addition, the protection of California’s
13 spectacular 1,100-mile coastline is of utmost importance to a
14 number of our state’s coastal and ocean-dependent industries,
15 including tourism and commercial fishing, which contributed over
16 fifty billion dollars (\$50,000,000,000) to California’s economy in
17 1999; and

18 WHEREAS, California’s diverse coastline, especially the
19 waters off Point Concepcion, where the “mixing” of northern and
20 southern California characteristics occurs, boasts of the highest
21 levels of biodiversity in the nation; and

22 WHEREAS, California’s ocean waters are also home to two
23 important sanctuaries, the Monterey Bay National Marine
24 Sanctuary and the Channel Islands National Marine Sanctuary
25 which, by definition, are areas of special conservation,
26 recreational, ecological, historical, cultural, archeological,
27 scientific, education, and esthetic qualities and, as such, are
28 particularly sensitive to the impacts of oil development; and

29 WHEREAS, Additional offshore oil leasing and production
30 would degrade the quality of our air and water, and adversely
31 impact our marine resources, including severe impacts from
32 seismic surveys on marine mammals, which could involve
33 threatened and endangered species such as blue and humpback
34 whales; and

35 WHEREAS, Offshore oil development poses a serious risk of
36 oil spills, especially with the introduction of deepwater drilling
37 technologies and floating oil storage and processing vessels,
38 thereby threatening marine ecosystems, and could have
39 devastating effects on the southern sea otter, listed as a threatened

1 species since 1997, as well as onshore wildlife, such as birds, and
2 their habitats in the ocean, in estuaries, and on beaches; and

3 WHEREAS, Offshore oil development also leads to the
4 industrialization of the shoreline, creating land use conflicts,
5 visually degrading coastal areas and posing potentially life
6 threatening public safety risks; and

7 WHEREAS, Much of the oil contained in the remaining 36
8 federal oil leases that are slated for development off California's
9 coast is of very poor quality and would only be suitable for the
10 manufacture of asphalt; and

11 WHEREAS, The bipartisan congressional moratorium on
12 leasing the OCS was reaffirmed in the bill providing
13 appropriations for the Department of Interior for fiscal year 2001,
14 and the leasing deferral enacted by President George Bush in 1990,
15 and continued by President Bill Clinton last year, is still in effect;
16 now, therefore, be it

17 *Resolved by the Senate and Assembly of the State of California,*
18 *jointly,* That the Legislature of the State of California respectfully
19 memorializes the Congress of the United States to continue the
20 ~~moratorium on oil leasing in the 2002 fiscal year, and to terminate~~
21 ~~the 36 federal oil leases remaining off the coast of California, on~~
22 ~~the basis that the impacts of developing those leases are not~~
23 ~~acceptable moratorium on new oil leasing off the coast of~~
24 *California; and be it further*

25 *Resolved, That the Legislature of the State of California*
26 *respectfully memorializes the President and the Congress of the*
27 *United States to negotiate a permanent settlement with the*
28 *leaseholders of the 36 federal oil leases remaining off the coast of*
29 *California, which would prohibit the development of the leases on*
30 *the basis that the impacts of developing those leases are not*
31 *acceptable; and be it further*

32 *Resolved, That the Secretary of the Senate transmit copies of*
33 *this resolution to the President and Vice President of the United*
34 *States, to the United States Secretary of the Interior, to the Speaker*
35 *of the United States House of Representatives, and to each Senator*
36 *and Representative from California in the Congress of the United*
37 *States.*

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